IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 20150 of 2007(W)

PETITIONER:

M/S.H & R JOHNSON (INDIA) LTD. XLI/2261,
PARAMARA TEMPLE ROAD, ERNAKULAM NORTH,
REPRESENTED BY IT'S BRANCH MANAGER,
SRI.UNNIKRISHNAN.

BY ADV. SMT. K.LATHA

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.

2. DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, ERNAKULAM.

3. INSPECTING ASST.COMMISSIONER,
COMMERCIAL TAXES, KAKKANAD,
ERNAKULAM.

BY G.P. SRI.C.K.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/06/2007, THE COURT ON 29/06/2007 DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.20150 of 2007

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Dated this the 29th day of June, 2007.

JUDGMENT

Since it is clear from Ext.P3 revenue recovery notice that petitioner paid 50% of the balance tax during pendency of appeal filed against sales tax assessment for 2003-2004, W.P. is disposed of granting stay against Ext.P3 recovery proceedings till disposal of appeal by the appellate authority. The second respondent is directed to dispose of the appeal after hearing the petitioner within a period of three months from today. The petitioner will produce copy of this judgment before the appellate authority immediately on receipt from this court, for compliance.

C.N.RAMACHANDRAN NAIR
Judge

pms